

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In the PATENT APPLICATION of:**

Sutton et al.

**Application No.:** Not Yet Known

Our File: SHP-PT090

**Filed:** Not Yet Known

Date: September 15, 2006

**For:** RESPIRATORS

**Group:** Not Yet Known

**Examiner:** Not Yet Known

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to Applicant's Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicant wishes to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Copies of the cited documents are enclosed.

Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the cited U.S. publications and/or patent documents have not been included.

Reference DE 17 08 046 is provided in the German language. The relevancy of the reference is set forth in the enclosed International Search Report of the corresponding International Patent Application as reference category "A", general state of the art not considered to be of particular relevance.

**Applicant:** Sutton et al.  
**Application No.:** Not Yet Known

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO/SB/08a form indicating his consideration of the cited materials.

Respectfully submitted,

Sutton et al.

By Robert J. Ballarini/  
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RJB/djw  
Enclosures

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STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	
Filing Date	
First Named Inventor	Sutton et al.
Art Unit	
Examiner Name	
Attorney Docket Number	SHP-PT090

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Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	2381568		1945-08-07	Booharin	
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## U.S.PATENT APPLICATION PUBLICATIONS

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	1	17 08 046	DE		1971-04-22	Draegerwerk		<input type="checkbox"/>
	2	WO 03/068318	WO		2003-08-21	Bee		<input type="checkbox"/>

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number	
	Filing Date	
	First Named Inventor	Sutton et al.
	Art Unit	
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <b>( Not for submission under 37 CFR 1.99)</b>	Application Number		
	Filing Date		
	First Named Inventor		Sutton et al.
	Art Unit		
	Examiner Name		
	Attorney Docket Number		SHP-PT090

### CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.  
 Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.  
 None

#### SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Robert J. Ballarini/	Date (YYYY-MM-DD)	2006-09-15
Name/Print	Robert J. Ballarini	Registration Number	48,684

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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